

APPROVED MINUTES

JOINT MEETING of the STATE REVIEW BOARD and HISTORIC RESOURCES BOARD

9:00 a. m. June 16, 2016

James Madison's Montpelier, Lewis Hall and Center for the Constitution, 11350 Constitution Highway, Montpelier Station, VA 22957

State Review Board Members Present

Joseph D. Lahendro, Vice-Chair
Dr. Sara Bon-Harper
Dr. Laurant Lee
Dr. Carl Lounsbury

Historic Resources Board Members Present

H. Edward "Chip" Mann, Chair
Clyde Paul Smith, Vice-Chair
Ashley Atkins-Spivey
Eleanor Weston Brown
Drew Gruber
Terri Hauser
Margaret T. Peters

State Review Board Members Absent

Dr. Elizabeth Moore, Chair
Dr. Gabrielle Lanier
John Salmon

Historic Resources Board Members Absent

None.

Department of Historic Resources Staff Present

Julie Langan, Director
David Edwards
Marc Wagner
Melina Bezirdjian
Michael Pulice
Elizabeth Lipford
Blake McDonald

Stephanie Williams, Deputy Director
Aubrey Von Lindern
Jennifer Pullen
Lena Sweeten McDonald
Jen Loux
Brad McDonald

Guests present (from sign-in sheet) – Betsy and Peter Agelasto (South Rockfish Valley Rural Historic District); Jan Alten (Manassas Water Tower); Peter Alten (Manassas Water Tower); Elizabeth Bland (Brown/Koerner House); Adrienne Birge-Wilson (Fort Belvoir Military Railroad Historic Corridor); Robert Clark (Thorndale Farm); Ellen Craig (Brightwell's Mill Complex); Sandra Esposito (Brightwells Mill Complex); Wilamena Harback (Fort Belvoir Military Railroad Historic Corridor); Stephen Hersch (Manassas Water Tower); Robert Johnson; Sandra Brightwell Moss (Brightwells Mill Complex)

Guests from State Agencies – Catherine Ayres Shankles (Office of the Attorney General); Ryan Ramirez (Department of Planning and Budget)

Board of Historic Resources Board (BHR)

Chair H. Edward "Chip" Mann called the BHR meeting to order at 9:02 a.m. and welcomed everyone in attendance. Chair Mann explained the role of the BHR and invited the BHR members to introduce themselves. He asked for a motion to approve the agenda. With a motion from Ms. Hauser and a second from Vice-Chair Smith, the BHR voted unanimously to approve the agenda as presented.

Chair Mann presented the March 17, 2016, meeting minutes and asked for a motion to approve the minutes. With a motion from Vice-Chair Smith and a second from Ms. Peters, the BHR voted unanimously to approve the minutes as presented.

Chair Mann presented the April 26, 2016, meeting minutes and requested a motion to approve the minutes. With a motion from Vice-Chair Smith and a second from Ms. Peters, the BHR voted unanimously to approve the minutes as presented.

State Review Board (SRB)

Vice-Chair Joseph D. Lahendro called the SRB meeting to order and explained the role of the SRB and the process of designation, and invited the SRB members to introduce themselves. He asked for a motion to approve the meeting agenda. With a motion from Dr. Lounsbury and a second from Dr. Lee, the SRB voted unanimously to approve the agenda as presented.

He then presented the March 17, 2016, meeting minutes and asked for any corrections to the minutes. No corrections were made and the minutes stand as presented.

Vice-Chair Lahendro presented the May 4, 2016, meeting minutes and asked for any corrections to the minutes. No corrections were made and the minutes stand as presented.

Director's Report (DHR)

Director Langan introduced OAG staff member Catherine Ayres Shankles and Department of Planning and Budget staff member Ryan Ramirez, as well as past BHR Chair Robert Johnson. She thanked the staff of James Madison's Montpelier for hosting today's meeting. She reminded Board members that she sent an advance report to them regarding DHR's recent activities. She added that transfer of the Werowocomoco property from private ownership to the National Park Service is imminent. She said that issues with expanded security at the Charlotte County courthouse are still being discussed. The Surry-Skiffes Creek Transmission Line project being undertaken by Dominion Virginia Power has reached a critical point. The deadline for comments from stakeholders is nearing, after which the U.S. Army Corps of Engineers (USACE) will decide if an environmental impact statement will be necessary. The USACE also may choose to terminate consultation on the project, which is a rare occurrence in environmental review processes. Director Langan said DHR and partners are conducting an outreach effort to General Assembly members about the economic impact of historic tax credits. She noted that DHR is approaching the end of the state fiscal year and requested Board members submit travel reimbursement forms to DHR staff as soon as possible. She thanked outgoing BHR members Chair Mann and Ms. Hauser, whose terms expire at the end of June 2016. She added that two new BHR members will be appointed prior to the September joint board meeting, at which elections for officers of the BHR will take place. The September meeting will take place in Lynchburg, Virginia.

Vice-Chair Lahendro asked for an update about the Dominion Virginia Power pipeline project, and Director Langan said the project is still in the planning stages and that DHR continues to consult with regard to historic cultural resources.

VLR/NRHP Regulations.....presented by Stephanie Williams

Deputy Director Williams summarized the process for updating state regulations concerning objections by private property owners to a proposed VLR and/or NRHP nomination. Catherine Ayres Shankles asked where the regulations are presently and Deputy Director Williams said they are at the *Virginia Register of Regulations*. She asked the Boards to approve the final proposed regulatory changes specifying when and how property owners will be identified and when and how they may object to a nomination. Chair Mann asked for questions from the BHR. None were made. Vice-Chair Lahendro asked for questions from the SRB. None were made.

Chair Mann asked for a motion to approve the state regulations as presented in the April 18, 2016, issue of the *Virginia Register of Regulations*. With a motion from Ms. Peters and a second from Ms. Atkins Spivey, the state regulations were approved as presented in the April 18, 2016, *Virginia Register of Regulations* provided there is no public comment prior to expiration of the comment period on June 17, 2016.

Chair Lahendro asked for a motion to approve the state regulations as presented in the April 18, 2016, issue of the *Virginia Register of Regulations*. With a motion from Dr. Lee and a second from Dr. Bon-Harper, the state regulations were approved as presented in the April 18, 2016, issue of the *Virginia Register of Regulations* provided there is no public comment prior to expiration of the comment period on June 17, 2016.

Deputy Director Williams thanked the Boards' members and let them know that she will update them again on the regulatory process as it continues through the third stage.

NHL Nominations Updates.....presented by Jim Hare

1. *****Ball's Bluff Battlefield Historic District (Boundary Change), Loudoun County, #253-5182, NHL Criterion 1**
2. ****Virginia State Capitol, City of Richmond, #127-0002, NHL Criteria 1 and 4**
3. **Blue Ridge Parkway Historic District, Augusta, Nelson, Rockbridge, Amherst, Botetourt, Bedford, Roanoke, Franklin, Floyd, Patrick, Carroll, and Grayson counties, #080-5161, NHL Criteria 1 and 4, Exception 8**

Jim Hare, director of DHR's Survey and Register Division, provided summaries of a boundary increase and update to the Ball's Bluff Battlefield Historic District, an update to the Virginia State Capitol, and a new nomination for the Blue Ridge Parkway Historic District.

Chair Mann asked when the State Capitol's period of significance will end for the NHL designation, and Mr. Hare said it is 1865. He explained that this concerns the NHL designation for national significance, but does not preclude the State Capitol's significance at the local and/or state level of significance under the NRHP and VLR programs. Ms. Hauser asked if documentation about the early 2000s visitors center is being retained in the updated NHL nomination and Mr. Hare said yes, and added that information uncovered about the building's historic fabric during renovations also is being retained. Ms. Peters suggested that implementation of Massive Resistance against Civil Rights advancements from the State Capitol during the 1950s warranted future investigation for national significance. Dr. Lee added that Oliver Hill's lying in state in 2007 at the Capitol is similarly noteworthy. Mr. Hare said that DHR can suggest to the National Park Service that both of these events warrant further study. Vice-Chair Smith asked how often an NHL nomination is typically updated, and Mr. Hare explained that it is usually infrequent as buildings of national significance are usually well-documented in other published and scholarly works.

NOMINATIONS

Western Region.....presented by Mary Ruffin Hanbury

1. South Rockfish Valley Rural Historic District, Nelson County, #062-5119, Criteria A and C

Comments made:

Peter Agelasto thanked DHR staff for their assistance with the project. He added that the district's historic African American population has been documented more thoroughly than ever before as a result of the project. He said that cultural resources associated with the antebellum era also have been identified and offer potential additional research.

Vice-Chair Lahendro requested a motion to approve the nomination as presented. With a motion from Dr. Lee and a second from Dr. Bon-Harper, the SRB voted unanimously to approve the nomination as presented.

Chair Mann requested a motion to the approve the nomination as presented. With a motion from Vice-Chair Smith and a second from Ms. Hauser, the BHR voted unanimously to approve the nomination as presented.

The Eastern Region nominations were presented as a block by Mr. Marc Wagner and Ms. Elizabeth Lipford, after which public comment and discussion by the Boards took place.

Eastern Region.....presented by Marc Wagner (nos. 1-3) and Elizabeth Lipford (nos. 4-6)

1. Baker Public School, City of Richmond, #127-0877, Criteria A and C
2. Belvidere, Goochland County, #037-0086, Criterion C
3. Virginia National Bank Headquarters Historic District, City of Norfolk, #122-5817, Criteria A and C
4. American Tobacco Company South Richmond Complex Historic District, City of Richmond, #127-5832, Criteria A and C
5. Blair Tobacco Storage Warehouse Complex Historic District, City of Richmond, #127-6802, Criteria A and C
6. Courtland School, Town of Courtland, Southampton County, #201-5005, Criteria A and C

Comments made:

Vice-Chair Smith asked if the Baker Public School is currently vacant. Mr. Wagner said yes. Vice-Chair Smith asked if there is a plan for the building's future use. Mr. Wagner said that is not known. Vice-Chair Smith asked if the owners of Belvidere are present at the meeting. Mr. Wagner said no. Vice-Chair Smith asked about the current use of the Virginia National Bank Headquarters building. Mr. Marcus Pollard said that it had been used for office space but will be converted for use as apartments.

Vice-Chair Lahendro asked for a motion to approve nominations 1-6 (above) as presented. With a motion from Dr. Lee and a second from Dr. Lounsbury, the SRB voted unanimously to approve the nominations as presented.

Chair Mann asked for a motion to approve nominations (1-6) above as presented. With a motion from Vice-Chair Smith and a second from Ms. Peters, the BHR voted unanimously to approve the nominations as presented.

Chair Mann adjourned the joint meeting for a short break at 10:44 a.m.

Chair Mann called the meeting to order again at 10:53 a.m.

The Northern Region nominations were presented as a block by Ms. Aubrey Von Lindern, after which public comment and discussion by the Boards took place.

Northern Region.....presented by Aubrey Von Lindern

1. Belle Plaine, Madison County, #056-5043, Criteria A and C
2. Brown/Koerner House, Loudoun County, #053-0342, Criterion C
3. Manassas Water Tower, City of Manassas, #155-0141, Criteria A and C
4. Thorndale Farm, Frederick County, #034-0081, Criteria A and C

Comments made:

Vice-Chair Smith thanked the owners of the Brown/Koerner House, the Bland family, for their work on the nomination.

Vice-Chair Smith asked about the antenna on top of the Manassas Water Tower. Mr. Steven Hersch said that it is going to be removed and a ball finial will be placed there. Vice-Chair Lahendro asked if the structure is still used as a water tower. Mr. Hersch said yes.

Mr. Peter Alten read a statement from the Vice-Mayor of Manassas, who could not attend today's meeting. He stated that the citizens and governing body of Manassas support the nomination of the Manassas Water Tower to the historic registers, and acknowledged the work of volunteers to contribute to the project's success. Mr. Alten provided the board members with a scale model of the water tower. Mr. Hirsch said that the water tower is still in use but no longer needed as part of the city's drinking water supply. Dr. Bon-Harper thanked the authors for their work on the project.

Ms. Elizabeth Bland thanked Aubrey Von Lindern for her assistance on the nomination of the Brown/Koerner House in Loudoun County. Vice-Chair Smith asked about Susan Koerner's occupation of the property, and Ms. Bland noted that a historic highway marker explains her association with the property.

Ms. Atkins Spivey asked about the family cemetery associated with the Thorndale Farm. Mr. Robert Clark explained that the family cemetery is on an adjacent parcel under separate ownership. He explained that the tombstones were removed in the 1980s but the burials were not disturbed. Mr. Clark said that he has kept the tombstones in a barn. Mr. Clark added that his family sponsored a Civil War Trails marker that explains his property's association with an important battle.

Dr. Lounsbury acknowledged the work of one of his students, Mark Bland, on the Brown/Koerner House nomination.

Vice-Chair Lahendro asked for a motion to approve nominations 1-4 (above) as presented. With a motion from Dr. Lounsbury and a second from Dr. Lee, the SRB voted unanimously to approve nominations 1-4 (above) as presented.

Chair Mann asked for a motion to approve nominations 1-4 (above) as presented. With a motion from Mr. Gruber and a second from Ms. Hauser, the BHR voted unanimously to approve nominations 1-4 (above) as presented.

Presentation of the Western Region nominations was delayed for approximately 10 minutes due to technical difficulties with the meeting facility's overhead projection system. The meeting remained in order but no business was discussed during the delay.

The Western Region nominations were presented as a block by Mr. Michael Pulice, after which public comment and discussion by the Boards took place.

Western Region.....presented by Michael Pulice

1. Brightwell's Mill Complex, Amherst County, #005-0035, Criteria A and C
2. Clyncdale, Tazewell County, #092-5060, Criterion C
3. Jordan's Point Historic District, City of Lexington, #117-5027, Criterion A
4. Tazewell Historic District 2016 Boundary Increase, Town of Tazewell, Tazewell County, #158-5053, Criteria A and C

Comments made:

Ms. Hauser asked about the Tazewell Historic District's 2016 Boundary Increase and why this area wasn't included in the original historic district nomination. Mr. Pulice explained that the Boundary Increase area's resources postdate the district's original period of significance, which would have made several of the resources non-contributing to the original district.

Vice-Chair Lahendro invited public comment on the nominations. None were made.

Vice-Chair Lahendro asked for a motion to approve nominations 1-4 (above) as presented. With a motion from Dr. Bon-Harper and a second from Dr. Lee, the SRB voted unanimously to approve nominations 1-4 as presented.

Chair Mann asked for a motion to approve nominations 1-4 (above) as presented. With a motion from Ms. Atkins Spivey and a second from Ms. Peters, the BHR voted unanimously to approve nominations 1-4 (above) as presented.

VLR Listing.....presented by Jim Hare

1. **Fort Belvoir Military Railroad Historic Corridor, Fairfax County, #029-5724, Criteria A and C

Comments made:

Chair Mann invited public comment regarding the nomination. No comments were made.

Chair Mann requested a motion to approve the nomination as presented. With a motion from Ms. Hauser and a second from Ms. Atkins Spivey, the BHR voted unanimously to approve the nomination as presented.

Chair Mann asked about long-range plans for the historic corridor. Ms. Adrienne Birge-Wilson said the corridor is planned to be kept open for a potential rail line in the future. Mr. Gruber asked about the 5 temporary ("T") buildings within the historic district and Ms. Birge-Wilson said they are planned to be retained.

The joint meeting adjourned at 12:14 p.m.

Register Summary of Resources Listed:

Historic Districts:	7
Buildings:	8
Structures:	1
Sites:	0
Objects:	0
MPDs:	0

BOARD OF HISTORIC RESOURCES

James Madison's Montpelier, Lewis Hall and Center for the Constitution, 11350 Constitution Highway, Montpelier Station, VA 22957

Historic Resources Board Members Present:

H. Edward "Chip" Mann, Chair
Clyde Paul Smith, Vice-Chair
Ashley Atkins-Spivey
Eleanor Weston Brown
Drew Gruber
Terri Hauser
Margaret T. Peters

Department of Historic Resources (DHR) Staff Present:

Julie Langan, Director
Stephanie Williams, Deputy Director
Jennifer Pullen
Elizabeth Tune
Gillian Bearns
Brad McDonald
Jennifer Loux
Jim Hare

Historic Resources Board Members Absent:

None

Other State Agency Staff Present:

Catherine Shankles (Office of the Attorney General)

Guests Present:

Joyce Henderson (Alpha Kappa Alpha Sorority Inc.)
Lula Hicks (Alpha Kappa Alpha Sorority Inc.)
Anita Freeman (Alpha Kappa Alpha Sorority Inc.)
Vanessa Washington (Alpha Kappa Alpha Sorority Inc.)
Lisa Winn (Alpha Kappa Alpha Sorority Inc.)
Dorian Ridley
William S. Ray (Historic Masonic Theater Foundation)
Dale M. Brumfield (Virginia Penitentiary)
Richard Moss (VFAR)
Adam Gillenwater (Civil War Trust)
Tom Gilmore (Civil War Trust)

Addie R. Whitaker (Alpha Kappa Alpha Sorority Inc.)
Wendy Hunter (Alpha Kappa Alpha Sorority Inc.)
Fannie C. Bullock (Alpha Kappa Alpha Sorority Inc.)
Kimberly Bozmore (Alpha Kappa Alpha Sorority Inc.)
Ann J. Smith (Alpha Kappa Alpha Sorority Inc.)
K. Diane Price (Alpha Kappa Alpha Sorority Inc.)
Linda Tyler (Alpha Kappa Alpha Sorority Inc.)
Eve Gregory (VFAR)
Leonard David Kennon III (Old Brick House)
Richard Morris (VFAR)
Mr. Peters

HIGHWAY MARKERS

H. Edward Mann, Chair, reconvened the meeting of the Virginia Board of Historic Resources and noted there was a quorum present. H. Edward Mann-Chair, C. Smith-Vice Chair, T. Hauser, A. Atkins-Spivey, M. Peters, D. Gruber, and E. Weston Brown composed the Board of Historic Resources (the "Board" or "BHR"). The members of the Board introduced themselves.

Chair Mann introduced Marker Historian J. Loux. Ms. Loux asked the Board to approve a change to the design of the Seal of the Commonwealth that appears on the highway markers, noting that the Department of General Services will soon be issuing an Invitation for Bids for marker manufacturing and refurbishment. Loux explained that the Virginia Department of Transportation supports the use of a new version of the seal on markers produced under the new contract because the current version lacks sufficient detail and is thus unofficial. The new version would offer an aesthetic improvement and allow VDOT easily to recognize markers erected after 2016.

T. Hauser commented that an enhanced version of the seal would be a welcome improvement and made a motion to approve the proposal. M. Peters seconded the motion. The Board voted unanimously to approve the motion.

Chair Mann stated that the proposed text of each of the highway markers to be presented had been provided to the Board members in advance of the meeting. Chair Mann stated that Sponsor Markers-Diversity Items #1 through #3 would be considered in a block motion by the Board. Loux presented the following highway markers for the Board's consideration:

Sponsor Markers – Diversity

1. Lucy Diggs Slowe (4 Jul. 1883-21 Oct. 1937)

Sponsor: Alpha Kappa Alpha Sorority

Locality: Clarke County

Proposed Location: 313 Josephine St., Berryville

2. 69 Slaves Escape to Freedom

Sponsor: Lois Williams

Locality: Lancaster County

Proposed Location: Route 3 near north end of Norris Bridge at Rappahannock River

3. Lucille Chaffin Kent (1908-1997)

Sponsor: Jane Baber White

Locality: Lynchburg

Proposed Location: 2211 Memorial Avenue

Chair Mann invited public comment. Joyce Henderson, Director of the Mid-Atlantic Region of Alpha Kappa Alpha Sorority, Inc., addressed the Board, spoke about the life and accomplishments of Lucy Diggs Slowe, and asked for the Board's support of the marker. Chair Mann called for a motion to approve the proposed texts and authorize the manufacture of the highway markers presented as Sponsor Markers-Diversity Items #1 through #3. With a motion from Atkins-Spivey and a second from Brown, the Board voted unanimously to approve the markers as presented.

Chair Mann stated that Sponsor Markers--Items #1 through #9 would be considered in a block motion by the Board.

Sponsor Markers

1. Virginia State Penitentiary

Sponsor: Dale M. Brumfield

Locality: Richmond City

Proposed Location: 500 Spring St.

2. Richmond Hill

Sponsor: Richmond Hill

Locality: Richmond City

Proposed Location: 2209 E. Grace St.

3. The Brick House at Conjuror's Neck

Sponsor: Old Brick House Foundation

Locality: Colonial Heights

Proposed Location: 131 Waterfront Drive

4. Cumberland Town

Sponsor: Southwestern Holdings, Inc.

Locality: New Kent County

Proposed Location: 9007 Cumberland Road

5. French Cannon at Cumberland Landing

Sponsor: Southwestern Holdings, Inc.

Locality: New Kent County

Proposed Location: 9007 Cumberland Road

6. McClellan's Camp at Cumberland Landing

Sponsor: Southwestern Holdings, Inc.

Locality: New Kent County

Proposed Location: 9007 Cumberland Road

7. George Poindexter (ca. 1627-ca. 1693)

Sponsor: Southwestern Holdings, Inc.

Locality: New Kent County

Proposed Location: Route 155 at intersection with Poindexter Road

8. Footeball Quarter Creek Plantation

Sponsor: Footeball Quarter Creek Foundation

Locality: Poquoson

Proposed Location: 30 Robert Bruce Road

9. Masonic Theatre

Sponsor: Masonic Theatre Preservation Foundation

Locality: Clifton Forge

Proposed Location: Intersection of Main St. and Ridgeway St. (Route 60)

Chair Mann invited public comment. William S. Ray (Historic Masonic Theater Foundation) addressed the Board on behalf of the Masonic Theatre marker. Leonard David Kennon III (Old Brick House Foundation) addressed the Board on behalf of the Brick House at Conjuror's Neck marker. Dale M. Brumfield, sponsor of the Virginia Penitentiary marker, addressed the Board on behalf of his project. Joyce Henderson, Director of the Mid-Atlantic Region of Alpha Kappa Alpha Sorority, Inc., addressed the Board about the importance of using respectful terminology in markers about African American history, citing her concern about the use of the word "contraband" in the McClellan's Camp at Cumberland Landing marker. Chair Mann discussed the origins of the "contraband" policy initiated at Fort Monroe and noted that DHR staff and the Board are careful to use respectful language in marker texts. J. Loux pointed out that the word "contraband" appears in quotation marks in the text because this was the term used during the Civil War.

Chair Mann called for a motion to approve the proposed texts and authorize the manufacture of the highway markers presented as Sponsor Markers- Items #1 through #9. With a motion from Gruber and a second from Brown, the Board voted unanimously to approve the markers as presented.

Chair Mann stated that Replacement Markers--Items #1 through #3 would be considered in a block motion by the Board.

Replacement Markers (Sponsor-funded)

1. Loyal Baptist Church Q-5-c

Sponsor: Fisher and Watkins Funeral Home

Locality: Danville

Proposed Location: 468 Holbrook St.

2. Lee's Retreat M-24

(To be paid for by Geico Insurance)

Locality: Prince Edward County

Proposed Location: Route 307 at Nottoway County line

3. Prince Edward County Z-285

(To be paid for by Geico Insurance)

Locality: Prince Edward County

Proposed Location: Route 307 at Nottoway County line

Chair Mann called for a motion to approve the proposed texts and authorize the manufacture of the highway markers presented as Replacement Markers- Items #1 through #3. With a motion from Peters and a second from Gruber, the Board voted unanimously to approve the markers as presented.

EASEMENTS

After a break, Chair Mann called the meeting to order at 2:04 p.m. Ms. Bearns presented the proposed new easement offers.

1. Newell-Gilbreath Tract, Gaines Mill Battlefield, Hanover County

Property Owner: Tracey N. Gilbreath individually and as Trustee of the Estate of Lewis H. Newell, Jr; under contract to Civil War Trust

Acreage: 2.07 acres

Situated on Watt House Road (also known as Route 718) southeast of Mechanicsville, the Newell-Gilbreath Tract contains approximately two acres of land. Comprised primarily of wooded cover, the tract is improved for residential use. The property lies within the core area of the Gaines Mill Battlefield, which has a Preservation Priority Rating of I.1 Class A from the Civil War Sites Advisory Commission (CWSAC). Priority I battlefields are those with a critical need for action and Class A designates those battles that had a decisive influence on a campaign and a direct impact on the course of the war, in this instance the Peninsula Campaign from March to September 1862. Gaines Mill was the third of the Seven Days' Battles and took place on June 27, 1862. The property contains the general location where Confederate artillery Col. William R. J. Pegram's battery was positioned and fired on Federal infantry located in a patch of timber to the southeast.

The property lies entirely within the study area of the Savage's Station Battlefield, which has a Preservation Priority Rating of IV.1 Class C. Priority IV battlefields are those that are fragmented and Class C designates those battles having an observable influence on the outcome of a campaign, in this instance the Peninsula Campaign from March to September 1862. The Battle of Savage's Station was the fourth of the Seven Day's Battles and took place on June 29, 1862. In addition, the property also lies partially within the core area and entirely within the study area of the Cold Harbor Battlefield, which has a Preservation Priority Rating of I.1 Class A and was part of

Grant's Overland Campaign from May to June 1864. The Battle of Cold Harbor occurred from May 31st to June 12th, 1864. The property contains the general location of Conf. Brig. Gen. David Weisinger's brigade which fought back against the Union attack on June 3rd.

Existing buildings and structures located on the property include a one-story residential brick dwelling with attached screen porch (approx. 1,248 square feet), built circa 1967, a concrete pathway, a one-story detached frame garage (approx. 780 square feet), gravel drive and residential water well. The property is visible from Watt House Road, a public right-of-way. It is in the vicinity of Richmond National Battlefield Park and battlefield lands preserved by the CWT and the Richmond Battlefields Association. Perpetual preservation of the Newell-Gilbreath Tract will augment ongoing efforts to preserve battlefield properties in Hanover County, including 75 acres of land already subject to perpetual easements held by the Board.

The CWT recently executed a purchase contract with the property owner. To assist with acquisition costs, the CWT intends to apply for an American Battlefield Protection Program grant. The CWT would like to reserve the right to construct amenities such as walking trails, parking facilities, and signs for interpretation of the property as a Civil War battlefield. When the Easement Acceptance Committee initially reviewed the application, they noted that the plat of survey dated to 1965 and the garage appeared to encroach on an adjoining parcel. As a condition of its approval, the Committee requested that the CWT commission a current plat of survey. The CWT submitted a new plat of survey to easement staff earlier this week satisfying that condition.

The Easement Acceptance Committee recommended approval with the following conditions:

1. Demolition and removal of existing non-historic buildings and structures shall be completed within three (3) years of the date of easement recordation.
2. Any change to the time frame for demolition or removal of non-historic buildings and structures as determined by the Board shall be negotiated in advance of recordation of the easement with DHR.
3. Rehabilitation or restoration of the landscape shall be conducted according to a written management plan negotiated jointly by the CWT and the DHR, and such plan shall be incorporated into the easement either directly or by reference.
4. Any lease agreement and residential use of the property must cease either prior to recordation of the easement or shortly after recordation to ensure that demolition and removal of the existing buildings pursuant to Condition #1 above is completed within three (3) years of the date of recordation.
5. Any lease in effect at the time of recordation must be subordinated to the easement, and the following must occur:
 - a. DHR is provided with a copy of any lease agreement related to the property within thirty (30) days of execution of such agreement.
 - b. DHR is provided with written documentation that any tenants occupying or using the property from the date of this letter forward have agreed to sign the deed and subordinate their interest to the easement.

Comments Summary: Chair Mann inquired whether this property is near the other properties under easement along Watt House Road and how the Civil War Trust assembles concentrations of property. Tom Gilmore of CWT responded that the Newell-Gilbreath Tract is under contract to CWT and that they are in discussions with all property owners along Watt House Road except one, and that CWT hopes to have all properties in this critical part of the Gaines Mill Battlefield under easement. Mr. Gruber asked about condition #4, which requires the lease to terminate before or shortly after recordation of the lease, noting that the lease provides income for the property and CWT. Ms. Bearns responded that the condition does allow for the lease to continue after recordation of the easement, but that the easement is unlikely to be recorded within the next 18 months. By imposing limitations on the duration of the lease after recordation of the easement, a residential lease will not preclude removal of non-historic buildings and structures within the required three year timeframe. Ms. Bearns clarified that the timeframe for removal of the non-historic buildings and structures begins on the date of recordation. Vice-Chair Smith asked whether CWT wanted to realize income from the properties prior to their restoration. Tom Gilmore stated that CWT's intent is to restore the properties, but that CWT is concerned about the expense of removing the non-historic buildings and structures at multiple properties at the same time. He stated that other states do not have a timeframe for removal of non-historic buildings and structures, nor are there restrictions on leases. Vice-Chair Smith asked Director Langan about the timeframe for removal of the buildings and structures. Director Langan confirmed that the Board had approved specific timeframes from three to five years for removal of buildings and structures. Ms. Bearns further stated that non-historic buildings and structures impair the integrity of the battlefield landscape, and it is therefore essential to ensure rehabilitation of the battlefield landscape. Ms. Hauser stated that there is flexibility in condition #2 for the timeframe in which the non-historic buildings and structures must be removed, should conditions change. Vice-Chair Smith followed by asking whether there is any reason not to provide additional time for removal of the structures. Tom Gilmore stated that CWT could use additional time and allowing the lease to extend to the time that the demolition occurs would provide funding for the demolition. Ms. Shankles asked what requirements are established by ABPP for the removal of the non-historic buildings and structures. Mr. Gilmore answered that there are no requirements to demolish non-historic buildings, nor any timeframe for doing so. He did note that all treatment of the property would be subject to review under Section 106 of the National Historic Preservation Act. Chair Mann commented on the dynamic that donors to CWT for acquisition of property want to see rehabilitation of the landscape shortly after making their contribution. Mr. Gilmore agreed and stated that CWT did try to raise money for rehabilitation of the landscape.

Ms. Shankles advised the Board to think about the resources it is asked to protect through the easements. Vice-Chair Smith said that in thinking about the issue as a business person, the objective was to acquire and protect battlefield properties, and that he was not concerned about the timeframe by which the rehabilitation of the landscape is completed. Ms. Peters said that she disagreed and stated that the board meeting is not the time to discuss changes to the policy, and that she disagreed that the Board doesn't care whether the work takes 50 or 100 years to be accomplished. The issue should not be discussed during consideration of an easement offer. Ms. Hauser echoed the

comments made by Ms. Peters and moved to approve acceptance of the easement with the conditions recommended by DHR staff. The motion was seconded by Ms. Brown. Hearing no debate, Chair Mann called for a vote, which passed unanimously.

2. Kings Highway Tract, Washington Rochambeau Route, Prince William County

Property Owner: D R Horton, Inc.; to be conveyed to Prince William County

Acreage: 1.48 acres

Located off Vantage Drive and east of Route 1 (Jefferson Davis Highway) near Woodbridge, the King's Highway Tract contains approximately 1.48 acres comprised entirely of wooded cover. The unimproved property is surrounded by dense residential development. The topography of the parcel is defined by an entrenched road trace which is a remaining intact section of the King's Highway. This roadway has historic and archaeological significance as the route that Washington and Rochambeau traveled with their troops to the siege of Yorktown at the end of the Revolutionary War. Much of the section of the King's Highway that ran through northern Virginia followed old Native American paths between the Rappahannock and Potomac Rivers. By the end of the 17th century, the north-south trail that traversed Prince William County was formally known as the Potomac Path. By the mid-18th century, the route became the formal path for mail service and was dubbed the "King's Highway" for King Charles II. The route assumed great importance for overland travel between the colonies. Sections of the King's Highway were paved in the 1920s and incorporated into U.S. Route 1, which loosely follows the Potomac Path through Prince William County.

The property also lies along the historic Washington-Rochambeau Route. General George Washington and Gen. John Baptiste de Rochambeau left Mount Vernon on September 12, 1781 and traveled south along the King's Highway, passing Rippon Lodge, the home of Col. Richard Blackburn, through Dumfries, across the Rappahannock River, and into Fredericksburg. The movement included artillery, baggage transported via wagon train, and support staff. They arrived in Yorktown in mid-October. This linear route has been designated a Class A, Revolutionary War Preservation Priority: Associated Historic Property Needing Further Study as defined in the "Report to Congress on the Historic Preservation of Revolutionary War and War of 1812 Sites in the United States (2007)." Sites that "need further study" are those where the location, condition, integrity, or threats are unknown and field survey has not been completed. The Class A designation is for those sites associated with events that shaped a Class A military action but were not part of the action itself, in this case the Siege of Yorktown in 1781. The extant road segment has a deeply sunken road profile in places, and clear definition of walls and road bed. There are maturing trees on either side of the road and on the walls with limited undergrowth. A 2004 reconnaissance survey completed by the National Park Service clearly identified this portion of the road with other segments in the immediate vicinity.

The property is visible from Vantage Drive, a public right-of-way. It is in close proximity to Rippon Lodge, subject to an easement held by the Board. Perpetual preservation of the King's Highway Tract will augment ongoing efforts to conserve land in Prince William County, including 526 acres of land already subject to perpetual easements held by the Board. In 2004, Prince William County was involved with litigation surrounding a development adjacent to Rippon Lodge. The County asked for significant mitigation of the negative impact to the Rippon Lodge viewshed and the destruction of the King's Highway. As a result of the litigation, the parties signed a Settlement Agreement which contained a condition that the developer would convey a portion of the King's Highway to the County and place it under conservation easement. *[Note: Although the plat of survey recorded with the Settlement Agreement indicates the property must be eased before being transferred to the County, the current owner D R Horton Inc. will transfer the parcel to Prince William County contingent on approval of the easement.]* Once Prince William County acquires the property, they intend to provide full public access to the site for interpretative purposes and connect it to the Potomac Heritage National Scenic Trail. The County would like to reserve the right in the easement to construct amenities such as walking trails, footpaths, and signs for interpretation of the property as an historic roadway.

The Easement Acceptance Committee recommended approval with the following conditions:

6. Review of the following documents by DHR:
 - a. Title report and supporting documentation associated with the property, including any encumbrances or exceptions identified in the title work; and
 - b. All conditions, terms, proffers, or agreements related to or identified in the Settlement Agreement, approval of subdivision, proffer agreements, etc.
7. A separate agreement signed by all parties providing a general release of any and all potential claims against DHR and/or indemnifying DHR and the Board and stating that conveyance of this easement settles any and all claims that may have occurred in the past or may occur in the future related to the Settlement Agreement.
8. Provide DHR with the identity of the entity that will be conveying the easement, either Prince William County or D R Horton, Inc.

Comments Summary: Ms. Hauser asked about the vision of ABPP for Revolutionary War and War of 1812 sites. Ms. Bearns responded that the reports compiled by ABPP do not have the same level of specificity as the CWSAC report. The Board will probably see a trickle of proposed easements on Revolutionary War and War of 1812 sites, but that these sites are highly fragmented and do not possess the same level of preservation as Civil War sites, as illustrated by the property being presented for easement. In 2015, DHR amended the legislation for the battlefield grant to allow funding for acquisition and protection of Revolutionary War and War of 1812 sites. Mr. Gruber said that he could only think of half a dozen notable Revolutionary War properties in Virginia, and that Prince William County

has a great track record of making these sites relevant to the community and within a historical context, despite their fragmentation. Ms. Bearns noted that Virginia does not have a high number of sites associated with either the Revolutionary War or the War of 1812 and that there are very few active organizations addressing their preservation. The Civil War Trust has created a partnership called Campaign 1776 to leverage its experience for the preservation of Revolutionary War and War of 1812 sites throughout the country. Chair Mann called for a motion, which was made by Mr. Gruber to accept the easement with the conditions recommended by DHR staff. The motion was seconded by Vice-Chair Smith, and was passed unanimously.

3. Angus Brown House, Atoka Historic District, Fauquier County

Property Owner: Mosby Heritage Area Association

Acreage: 0.73 acres

The Angus Brown House is located on Rectors Lane in the Village of Atoka, a small rural community that lies approximately five miles north of Rectortown and directly adjacent to U.S. Route 50/John S. Mosby Highway. The property is improved by one historic dwelling, currently used for professional office space. The topography of the property slopes steeply to the north toward U.S. Route 50 and contains a combination of grass lawn and natural shrub, tree, and brush growth.

This property was designated a contributing resource to the Atoka Historic District, which district was listed on the VLR and the NRHP in 2004 under Criterion A (Transportation) and Criterion C (Architecture) for its significance as a mid-19th century vernacular style dwelling. This property was also designated a contributing resource to the Cromwell's Run Rural Historic District, which was listed on the VLR and NR in 2008. The Angus Brown House is a one and one-half story, gable-roofed log dwelling with a large central stone chimney and random rubble stone foundation. The exterior is distinguished by its German-lap siding and stucco covered exterior walls and steeply sloped standing-seam metal roof. All of the windows are vinyl replacements. Dating to the mid-19th century with early 20th century modifications, the building was likely constructed in two sections. The dwelling has two front doors, and the left side of the primary elevation is situated at a lower level than the right side. A one-story shed-roofed wing is attached to the rear (north). / Interior features include a stone fireplace, hearth, and chimney, wood floors, exposed log walls on the first floor, and beadboard walls and ceilings on the second floor.

The building sits below the grade of road behind a low stone retaining wall that parallels the road. In 2007, a car accident damaged the building and renovation work was subsequently undertaken. A new stone retaining wall was constructed along the front (south) elevation and the front porch was rebuilt. The Property also lies entirely within the core area of the Upperville Battlefield, which has been given a Preservation Priority III.3 Class C rating by the CWSAC". During Phase Four of the June 21, 1863 battle, a cavalry and artillery duel between Confederate and Federal gunners occurred on and in close proximity to the property. The property is visible from Rectors Lane, Atoka Road, and U.S. Route 50, all public rights-of-way and is within the JTHG National Heritage Area and Mosby Heritage Area. Its preservation will augment efforts to preserve historic properties in Fauquier County, including roughly 100 acres of land already subject to perpetual easements held by Board. The proposed general easement terms include prohibition on division/subdivision, provision for protection of the exterior and interior of the building, and continued use of the building for office space. In order to continue using the property for business office purposes (6 employees or less), the MHAA obtained a Special Use permit from Fauquier County in 2015. Two of the conditions for approval of the permit require construction of a parking area and installation of landscaping to screen the new parking area from the adjoining property. Per a site plan approved by the County the proposed gravel parking area will contain 3 spaces and be located to the rear of the building. Easement staff has made the applicant aware that construction of the parking area will be subject to prior review and written approval from easement staff and any associated ground disturbing activities may require archaeological survey. Easement staff has offered to conduct the Phase I archaeological survey, with the provision that if further archaeological investigation is necessary, the property owner will be required to hire a qualified archaeologist to conduct that work.

The Easement Acceptance Committee recommended approval with the following conditions:

1. Any tenants occupying the building at the time the easement is recorded will need to sign the easement deed and subordinate their interest in the property as a lessee to the easement. This is to ensure that any tenants are aware of the easement restrictions and the conservation purposes of the easement are protected. Therefore, prior to recordation of the easement MHAA will need to obtain a formal written lease agreement with any tenants/lessees.

Comments Summary: Mr. Gruber said he thought it was great of DHR staff to offer to conduct a Phase I archaeological survey, and asked whether the property owner was aware that, if required, additional investigation would have to be funded by the property owner. Ms. Bearns responded that the property owner was aware that the parking area would require archaeological survey, and that it is their responsibility to fund any additional investigation that is deemed necessary after DHR conducts the initial survey. Ms. Hauser made a motion to accept the easement with the condition recommended by DHR staff. Vice-Chair Smith seconded the motion. Hearing no debate, Chair Mann called for the vote and the Board voted unanimously to approve the motion.

Ms. Bearns presented the proposed easement offer for reconsideration.

1. Adam Thoroughgood House Expansion Parcel, City of Virginia Beach

Property Owner: City of Virginia Beach

Acreage: 2.45 acres

The Adam Thoroughgood House was designated a National Historic Landmark prior to the enactment of the National Historic Preservation Act when the Register was administered by the National Trust for Historic Preservation. It was administratively listed on the National Register of Historic Places in 1966 with the passage of the National Historic Preservation Act. It was listed on the Virginia Landmarks Register in 1969 and the written nomination was prepared in 1972 by DHR staff. The House was placed under easement with the Board in 2005.

In 2014 the City of Virginia Beach acquired an adjacent undeveloped parcel of land using a Virginia Land Conservation Fund grant. That grant requires the conveyance of a conservation easement to protect the Commonwealth's investment. The Board approved an offer of easement over this open-space parcel in September 2014, however, it was not recognized at that time that the parcel was not within the boundaries of the Virginia Landmarks Register designation. In addition, the offer was to amend the 2005 easement over the Adam Thoroughgood House.

In 2015 the City proposed to install a trail on the open-space parcel to connect it to the Adam Thoroughgood House. Easement Program staff requested that the trail area be archaeologically surveyed to protect its integrity. The City hired James River Archaeological Institute to conduct a Phase I survey over the entire open-space parcel. A small portion on the eastern boundary was not shovel tested due to dense bamboo. The survey documented a material connection between the Thoroughgood House and the open-space parcel associated with domestic use and occupation during the period of significance for the House. The archaeology reinforces the title history. Easement Program staff have been working with the City of Virginia Beach to obtain title documents and Stephanie Eisenhart, a graduate planning student at the University of Virginia, who is interning with the Easement Program this summer has determined that there is merger of title between the House and the open-space parcel in 1941 when the surrounding property was being subdivided for residential development. The City is working to provide additional title documents to confirm that the title is continuous prior to 1941.

Because the open-space parcel is not currently within the boundaries of the Virginia Landmarks Register designation of the Thoroughgood House, the nomination will need to be expanded. That boundary expansion is substantiated by the archaeological survey and the title history. Due to the confusion over the listing status, the Easement Program has offered to draft the amended nomination. Ms. Eisenhart is working on it and hopefully it will be ready for the Joint Boards' consideration in September. The revised offer is for a new separate deed of easement, rather than an amendment of the existing easement, to better recognize the City's plans for use of the property as a passive park and its administration by the Department of Parks & Recreation, which is separate from the department that administers the Adam Thoroughgood House as a historic site.

Comments Summary: Chair Mann called for a motion to accept the revised offer of easement for the Adam Thoroughgood House Expansion Parcel, which motion was made by Vice-Chair Smith and seconded by Ms. Peters. Ms. Hauser asked whether the easement could be recorded before the Virginia Landmarks Register nomination for the property is amended to include the expansion parcel. Ms. Bearns responded that the listing process and the easement negotiation process would be concurrent, and that DHR staff did not initially realize that the expansion parcel was not included in the VLR boundaries and that DHR offered to amend the nomination for the City of Virginia Beach. Ms. Shankles clarified that the Board votes to accept the easement offer, the Board is not actually taking the easement at that time. Ms. Bearns confirmed that the easement cannot be recorded until the amended nomination is approved. Chair Mann asked for further questions or discussion, and hearing none, called for the vote. The Board voted unanimously in favor of the motion.

Ms. Bearns presented the proposed utility easement for consideration.

1. Rappahannock Station Battlefield Park, Fauquier County

Property Owner: Fauquier County

Modification of existing utility easement

This project request is for modification of an existing storm water management easement on a property subject to a conservation easement held by the Board. In 2005 Danforth-Remington, LLC, a development company, acquired 44.95 acres of land for by-right residential development. The property is located on the Rappahannock River in Fauquier County. Portions of the property are located within the core and study boundaries of the Rappahannock I and II Battlefields and within an area that was being surveyed for a possible new historic district. The developer was planning to dedicate a portion of the property that is designated as floodplain or steep slope and therefore undevelopable as a recreation area for the benefit of the new residential development. This was not a requirement as this was a by-right subdivision with no proffers. The residential subdivision was approved by Fauquier County in 2008.

Due to concerns over the loss of the battlefield, Fauquier County negotiated the purchase of 24.5 acres of the proposed development that fronts on the Rappahannock River. The Piedmont Environmental Council (PEC) applied for an ABPP grant and contributed monies towards the purchase and Fauquier County also obtained a Virginia Land Conservation Fund grant. The 24.5 acre property was placed under easement in 2008. The easement is co-held with PEC. It was not standard practice at that time to review title work and this project was moving quickly with multiple parties involved to ensure the preservation of a portion of the battlefields. Fauquier County engaged Dovetail Cultural Resources Group to conduct a Phase I archaeological survey of the entire 24.5 acre property. Dovetail identified 5 sites, only one of which, a prehistoric site, was recommended eligible for listing. DHR formally identified four of the five sites; one of which was deemed to lack integrity either due to road construction or possibly transposition of soil and associated artifacts from another location. The County intends to use the property as a battlefield park. In 2015 the County removed a nonhistoric house from the property.

Other nonhistoric buildings associated with the property's former use as a dairy farm have been removed as part of the development project.

When the County acquired the 24.5 acre property, Danforth-Remington, LLC reserved multiple easements over the 24.5 acre property for the benefit of the residential subdivision. These included easement for grading and storm water management. The original plan included the placement of temporary silt traps on the boundary between the subdivision and the County's property and an extensive storm water management system on the eastern portion of the County's property. Storm water would be collected and treated within the residential subdivision and then directed through an underground pipe into an outfall structure. From there, it would flow into a large biofiltration and infiltration facility. That facility is essentially a man-made wetland where the soil is excavated to create a basin and then layers of filter fabrics, gravel and soils are installed. And the entire facility is planted with different types of water-loving plants like willow trees, oat grasses, irises, etc. This biofiltration and infiltration facility would be permanent and would significantly alter the battlefield landscape transforming it from a hillside meadow to an excavated basin filled with trees, shrubs and other plants. In addition, the plan included a 20 foot right-of-way for a road leading from the residential subdivision to the biofiltration and infiltration facility to allow for access for maintenance and repairs. This type of facility requires maintenance as debris must be removed and plants replaced.

The residential subdivision, although approved in 2008, was not constructed due to the economic recession. Danforth-Remington, LLC has now entered into a contract with a builder to begin construction this summer and the storm water management facilities must be in place when construction begins. A new analysis of the watershed has indicated that the Rappahannock River is not getting enough water and the developer has revised his storm water management plans. Storm water will be collected and treated within the residential subdivision and then directed through an underground pipe all the way down to an outfall structure just above the Rappahannock River. This will allow the storm water to flow more directly into the river. The pipe, which is 36 inches in diameter, will be installed using open trench at a depth of at least 3 feet. Due to the longer distance, the pipe must be placed at a greater depth to ensure proper flow in all weather conditions. Under OSHA regulations, the increased depth requires a wider trench to prevent collapse. Only the outfall device, which is a cement basin filled with riprap will be visible above ground and its visibility will be limited due to its location on the steeper slope just above the river. This new design eliminates the need for the bioretention and infiltration facility. Danforth-Remington would like to extinguish the existing easements and convey a new more limited easement in a much smaller portion of the same area for the pipeline and outfall. Due to the increased width of the trench, the easement will need to be wider along the corners where it turns to go downhill towards the river. Those small areas are not subject to the current easement so the new easement will need to distinguish between those areas already subject to easement and those that will be encumbered for the first time by this modification. Because the original easements were all conveyed through one deed, they have to be extinguished and then a new more specific easement will be conveyed for the project as revised. The increased width also allows for elimination of the access road. The pipeline and outfall require far less maintenance and the homeowner's association, which will be responsible for maintenance, will be able to access it over the easement conveyed for the pipeline. Fauquier County, as the County not as the property owner, has the right under state law to enter the property and perform maintenance and make repairs should the homeowner's association fail to do so. Fauquier County has approved this modification. The County has also agreed to be responsible for the removal of the pipeline and outfall should the need ever cease to exist. Currently under state law, the Department of Environmental Quality is responsible for storm water management regulations and they have delegated that authority to local governments. If at some point in the future, in the determination of either the County or DEQ, whichever is the appropriate authority, the need for these storm water management facilities is no longer necessary, the County will be required to remove them.

The property is subject to Section 6(f)(3) of the Land & Water Conservation Fund Act – Conversion/Diversion – because the property was acquired using an ABPP grant. Conversion is where the property is being used for a purpose other than its designated open-space conservation purpose and diversion is where the land is not only being used for a different purpose but its ownership changes as a result. This is similar to the standard that the Board must consider under Section 10.1-1704 of the Open-Space Land Act as the state law was modeled after the federal Land & Water Conservation Fund Act. Due to the complexity of this project, ABPP was not provided with this project or the supporting documents until a few weeks ago. ABPP has not responded as to whether the project constitutes conversion or diversion under Section 6(f)(3). Normally we try to obtain ABPP's opinion before bringing a matter like this to the Board. However, if this modification is not approved this summer, the developer will move forward with the easements that were recorded in 2008 and will construct the biofiltration and infiltration facilities as shown on the approved plans. Easement Program staff have also been in discussions with PEC regarding this project. PEC is a co-holder under the Conservation Easement Act which does not contain any requirements regarding conversion or diversion. PEC has indicated that it plans to approve the project under the utility provision of the conservation easement.

The Board must determine whether the proposed modification constitutes conversion or diversion under Section 10.1-1704 of the Open-Space Land Act. If the Board determines that the project is not conversion or diversion, the Easement Program staff and Easement Acceptance Committee recommend approval subject to the following conditions:

1. Vacation of existing storm water management easements prior to recordation of new easement.
2. Express language with reference to a plan or plat prepared by civil engineer or surveyor distinguishing between the areas encumbered by 2008 easements and the new areas being conveyed as a result of the new easement.
3. Language limiting duration of the new easement as it affects the areas being newly encumbered such that it is less than perpetual.
4. Requirement that the easement as it affects the newly encumbered areas be extinguished or vacated should the state or local government agency charged with enforcement of storm water management regulations determine it is no longer needed.

5. Review and approval by PEC and DHR, on behalf of Board, of any deeds of vacation, deeds of easement and plans or plats to accomplish this modification.
6. Inclusion of any conditions or requirements provided by ABPP.

Comments Summary: The Board inquired about the exact location of the property, and Ms. Bearns stated that it was located in Remington, between Routes 15/29 and Business Routes 15/29. Mr. Gruber asked for clarification of the proposed location of the pipeline. Pointing to the map of the easements on the property, Ms. Bearns explained that the easements for the storm water and wetlands garden encumbered approximately one-third of the property. The bioretention facility (wetlands garden) would be entirely fenced whereas the proposed utility easement would only require fencing of the smaller outfall device and the overall impact to the battlefield landscape would be far less than what was already permitted. Mr. Gruber asked whether the pipe in the proposed utility easement would prevent access to the property, and Ms. Bearns confirmed that it would not. Only the outfall device would be fenced for safety. By contrast, the entire area occupied by the bioretention and infiltration facility would be fenced off which would significantly hamper access particularly because the point of public access from a public road will be located in the trapezoidal piece of land to the northeast. Mr. Gruber added that the pyramidal area of the encumbrance was the focus of the Union attack and the area where the outfall pipe would be located is the location of the pontoon bridge. If one is able to cross the property without encumbrances, that would be much more beneficial and in keeping with the purposes of the conservation easement. Mr. Mann inquired whether the Board had reached a consensus. Ms. Hauser asked for clarification of what the Board was being asked to determine. Ms. Bearns clarified that the threshold determination for the Board is whether the proposed modification constitutes conversion or diversion under Section 10.1-1704 of the Open-Space Land Act. If yes, then the developer will move forward with the easements that have already been recorded and will construct the manmade wetland. If not, then the Committee would recommend approval subject to the conditions listed. Ms. Hauser responded that the change seemed positive and she does not see it as conversion or diversion. Vice-Chair Smith stated that the modified version was better than what exists now so he does not see that it could be conversion or diversion. Ms. Shankles inquired whether archaeology was a consideration. Ms. Bearns explained that because the property has already been subjected to a Phase I survey, there is sufficient information to determine that there is nothing significant in the area that would be impacted by this project. The only potentially eligible site, which was a prehistoric site, is located to the west along the banks of the Rappahannock River. Ms. Shankles asked what conservation values are protected by the conservation easement. Ms. Bearns responded that this is a battlefield easement so it protects the battlefield landscape and archaeological resources. Ms. Shankles asked if the new easement would change or convert the battlefield landscape or character of the property. Ms. Brown stated that it would do neither. Mr. Gruber asked what kind of survey was done. Ms. Bearns explained it was a standard Phase I where the property was gridded and shovel test pits were dug at set intervals along the grid and also based on potentially significant areas determined by historic document research. Ms. Brown moved to approve the project subject to the recommended conditions. Ms. Bearns asked that the Board make a determination regarding conversion/diversion in a separate motion first. Ms. Hauser made a motion that the Board does not consider the project to be conversion or diversion under Section 10.1-1704. Vice-Chair Smith seconded the motion. The Board voted unanimously to approve the motion. Chair Mann asked for a motion regarding approval of the proposed project. Ms. Bearns noted that the conditions needed to be included in the motion. Ms. Brown made a motion to approve the proposal to vacate the existing easements and convey a new easement for storm water management subject to the conditions recommended by the Easement Acceptance Committee. Ms. Peters seconded the motion. The Board voted unanimously to approve the motion.

Ms. Hauser excused herself from the meeting at 3:38 pm. She stated her sincere gratitude for the honor of having been on the Board and stated that she will miss working with her fellow Board members. Chair Mann acknowledged her and stated that it has been a very interesting experience and that he has enjoyed serving with her.

Ms. Bearns reported one easement recorded since the March meeting.

1. Castlewood, Chesterfield County

Date Recorded: 04/22/16

Donor: Chesterfield County

Acreage: 3.277 acres

Grant Program: Save America's Treasures

Ms. Bearns noted that this was likely the last Save America's Treasures grant easement.

Chair Mann adjourned the Board meeting at 3:41 p.m.

STATE REVIEW BOARD

James Madison's Montpelier, Lewis Hall Dining Room, 11350 Constitution Highway, Montpelier Station, VA 22957

State Review Board Members Present

Joseph D. Lahendro, Vice-Chair

Dr. Sara Bon-Harper

Dr. Laurant Lee

Dr. Carl Lounsbury

State Review Board Members Absent

Dr. Elizabeth Moore, Chair
Dr. Gabrielle Lanier
John Salmon

Department of Historic Resources Staff Present

David Edwards
Jim Hare
Lena McDonald
Melina Bezirdjian
Mike Pulice
Aubrey Von Lindern
Marc Wagner
Elizabeth Lipford
Quatro Hubbard
Carey Jones
Blake McDonald

Guests (from sign-in sheet): Joyce French (South Hill Historic District)

Vice-Chair Lahendro called the meeting to order at 1:15 p.m. for discussion and consideration of the Preliminary Information Applications (informal guidance session).

Preliminary Information Applications

The following proposals were *endorsed*, unless otherwise noted, with the following comments:

Northern Region.....presented by Aubrey Von Lindern

1. Fort Lewis Lodge, Bath County, #008-0029, Criteria A and C

Ms. Von Lindern explained that the property owner has amended the PIF to include an additional approximately 130 acres of land that was part of the antebellum farmstead's acreage. A mid-20th century dwelling and outbuildings are on the 130-acre tract. The entire property has high potential for archaeology based on the continuity of occupation. Two sites have been identified along the Cow Pasture River. Vice-Chair Lahendro recommended a nomination explain how the mill's operation was integrated into the farmstead as well as the larger community. Dr. Lee suggested the mill may have contributed to the local economy and perhaps a larger region. The SRB recommended the nomination to proceed, and that, if a nomination is prepared, it include the additional 130 acres of land. Dr. Bon-Harper suggested that the property's archaeological potential warrants at least some professional investigation, and that a discussion of the archaeological potential be included in a nomination.

Western Region.....presented by Michael Pulice

1. Floradale Farm, Franklin County, #033-0389, Criteria A and C

Dr. Lounsbury noted the quality of the primary dwelling's brickwork. Dr. Bon-Harper asked if a nomination would be prepared by the property owners. Mr. Pulice said he did not expect the owners to proceed with a nomination immediately; the owners' first concern was to have the property's eligibility evaluated. Dr. Lounsbury asked about the property's large barn and if similar examples are known. Mr. Pulice said there are at least a couple of similar barns in the vicinity. The barn postdates 1900.

2. William N. Hale House, Franklin County, #033-0080, Criterion C

Vice-Chair Lahendro asked how many dogtrot log dwellings remain in the area. Mr. Pulice said they are increasingly rare, but it is difficult to estimate because weatherboard or other types of siding often covers the log walls. Vice-Chair Lahendro asked if the chinking includes stone and Mr. Pulice said no.

3. People's Bank of Eggleston, Giles County, #035-5125, Criterion A

Vice-Chair Lahendro recommended that the nomination include a description of how the building changed from a bank to a residence. Dr. Lee asked if there was an association with Maggie Walker's Penny Savers Bank, as her name is listed on a historic document included with the PIF. Dr. Lee said Walker traveled across Virginia making connections with local banks to expand her business. Mr. Pulice said he has asked the owners to seek additional historic documentation on the bank's operation. Vice-Chair asked if the size of the vault is known. Mr. Pulice said he had not seen the interior himself.

Eastern Region.....presented by Marc Wagner and Elizabeth Lipford

1. South Hill Historic District, Town of South Hill, Mecklenburg County, #301-5062

Vice-Chair Lahendro asked about the dwellings within the district as no photos of them were provided. Mr. Wagner said there are 4-5 Queen Anne dwellings, several Bungalows, and an assortment of vernacular shotgun-type dwellings. At the end of Franklin Street there is a school that also includes historic secondary buildings on its campus. Ms. Joyce French said that South Hill's claim to fame is that Minnie Pearl used to live in the area and taught drama at a local school. Arthur Ashe's grandmother also lived in Mecklenburg County. The district includes the Colonial Theater (individually listed in the NRHP). Vice-Chair Lahendro asked if documentation, such as

building permits, are available and Ms. French said no, permits were not typically issued when most of the district’s buildings were constructed. Land records are being researched. Ms. French said a local newspaperman wrote a weekly column about the area’s history that included descriptions of the district’s development, block by block. Vice-Chair Lahendro said it would be interesting to know what kinds of businesses operated in South Hill and how those changed over the years. Dr. Lounsbury suggested checking the *Manufacturers’ Record* for information about local businesses; it began about 1884 and has continued.

Eastern Region.....presented by Melina Bezirdjian

1. Markel Building, Henrico County, #043-0715, Criterion C

Dr. Lee noted that the building’s architect, Haigh Jamgochian, was *avant garde* at a time that Virginia was conservative in architecture. Vice-Chair Lahendro asked if Jamgochian had worked with Frederick “Bud” Hyland, another Modern architect in Richmond, and Ms. Bezirdjian said not as far as she had found. Vice-Chair Lahendro asked if Jamgochian was influenced by design of the Guggenheim Museum, and Ms. Bezirdjian said he was not as the topic was discussed during an interview with him. The SRB members recommended the property be nominated at the local level of significance.

Eastern Region.....presented by Blake McDonald

1. Mobjack Historic District, Mathews County, #057-5315, Criteria A and C

Dr. Lee asked if anything remains of the African American enclave that was located beyond the village of Mobjack, such as a church or school. Mr. McDonald said that is still being investigated and if any historic remains of the community are identified the historic boundaries will be adjusted to take these resources into account. Vice-Chair Lahendro recommended that a history of the kinds of businesses in the community be included in a nomination for the district, and how those changed over time. Dr. Lounsbury suggested investigating the history of ship building in this area. Similar activities in other bays in the vicinity have been documented. Ms. Lipford said a new book, *The Mathews Men*, focuses on the sailors and merchant marines who came out of the county. The recent Mathews County survey report also recommended further investigations on the county’s maritime history. Dr. Lounsbury noted that I-houses are prolific in the area as well, and their quality is indicative of economic prosperity in the vicinity. Vice-Chair Lahendro said the shipping of farm produce to market centers in Norfolk and the DC area also is an interesting aspect.

Additional Comments:

The State Review Board requested that at future Board meetings, a PowerPoint projector be provided to allow PIF photos and maps to be viewed by everyone attending the meeting. DHR staff agreed to make this a standard practice from this point forward. The SRB members and staff also agreed to investigate uploading staff’s PowerPoint presentations to DHR’s website in advance of meetings.

Vice-Chair Lahendro adjourned the SRB meeting at 2:52 p.m.